

# Custody Hearing Report to Court

April 11, 2016

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## **Case Summary**

Samantha Stewart is a married, 34-year-old, Caucasian female. She has five biological children: Charles Stewart, age 10; Simon Stewart, age 7; Jessica and Kyle Stewart, age 5; and Courtney Stewart, age 3. Mrs. Stewart's husband and father of all 5 children is Solomon Stewart. Mr. Stewart is currently incarcerated for involuntary manslaughter and is scheduled to be released in November 2017.

Mrs. Stewart denies a history of child abuse or domestic violence. She denies the use of alcohol prior to her husband's incarceration. Mrs. Stewart is employed in the financial office of a local retailer. She receives public assistance, specifically SNAP, a housing subsidy and assistance with her heating bills.

The Stewart family first came to the attention of the Department on November 3, 2015, for a report of physical abuse. It was reported that both Jessica and Kyle Stewart were observed to have bluish bruises and welts on their arms and thighs as a result of their mother hitting them with a belt. This report was substantiated for physical abuse, and Mrs. Stewart agreed to voluntary in-home services.

A second report was received in the evening of April 6, 2016. Law enforcement called when Mrs. Stewart was arrested and jailed for driving while intoxicated with her children in the car. This was Mrs. Stewart's third offense and there was no one to care for the children. Mrs. Stewart could not think of any relatives for the children to stay with. The children were very upset that their mother was arrested.

The Department substantiated neglect and lack of supervision and took emergency custody of all five children. Courtney, Kyle, Jessica, Simon, and Charles Stewart were placed in foster care after determining the family friend specified in a previous safety plan was unable to provide care for them.

On April 7, 2016, the Court signed an ex parte order and granted emergency custody of the Stewart children to the Department. On April 8, 2016, the Department met with Mrs. Stewart following her arraignment and release from jail to develop an assessment plan.

**Reason(s) for Removal From Home:** The children were removed on an emergency basis to ensure their safety. Mrs. Stewart was arrested and taken into custody for her third DUI offense. She was unable to execute her parental responsibilities. The children's father, Solomon Stewart, is currently in the Mock State Correctional Facility and unable to execute his parental responsibilities. There is no adult available to provide care and supervision for the children.

**Children's Perception of Situation:** Courtney, Kyle, Jessica, Simon, and Charles Stewart are sad at their removal and placement into foster care. They are aware of their mother's alcohol use. Charles feels responsible because he has been in the habit of taking care of his siblings when his mom is intoxicated. The four older children recognize and verbalize that their mother needs help. All five children say they want to be reunited with their mother.

## **Children's Information**

### **Physical Health**

Courtney, Kyle, Jessica, Simon, and Charles Stewart are all in good general health and up to date on their immunizations. All five children were seen at Healthy Horizon Pediatric Health Care for their

annual physicals during the in-home intervention. All five children have dental exams scheduled for April 28, 2016.

### **Mental/Behavioral Health**

The children's mood and affect are congruent with their recent life events. Charles Stewart routinely assumes a caretaker role with his younger siblings. Ongoing monitoring will be required to determine whether any intervention is needed. Simon Stewart presents as shy and withdrawn. He also has a speech delay. Ongoing monitoring will be required to determine if a formal assessment is needed. Jessica Stewart seeks reassurance from her twin brother. Courtney, however, does appear to accept comforting from her foster parents. No concerns with her ability to bond are noted.

### **Education**

Charles Stewart is in the 5<sup>th</sup> grade at Mockville Elementary School. He is considered to be an average student with Bs and Cs. He has progressed through school and does not require/is not eligible for special education services. Simon Stewart is in the 2<sup>nd</sup> grade at Mockville Elementary School. He is a C student. He has been developmentally assessed for speech delays and noted difficulty with comprehension. He receives speech and language therapy. Other identified services are in place for the beginning of the new school year. Jessica and Kyle Stewart are in kindergarten. Jessica is an above average student and Kyle is an average student. They do not require/are not eligible for special education services. The Stewart children's foster care placement did not result in a change of school. The school was notified of their placement into foster care, and bus transportation has been modified to provide service from their foster care placements to the school.

### **Social/Emotional Development**

Charles, Simon, Kyle, Jessica, and Courtney Stewart appear to be developmentally on target. The children's history of neglect appears to have affected their social interaction at school. Simon, in particular, struggles with making friends at school. School personnel state they take measures so that he is not ostracized by peers.

### **Placement**

#### **Relative as Placement Resource**

At this time, no relatives have been identified for possible placement for the Stewart children. The maternal grandmother resides in a senior living facility and Mrs. Stewart's brother is working out of the country. At this time, no paternal relatives have been identified for possible placement.

#### **Description of Current Placement**

Placement Type and Description: Licensed family foster care homes

Courtney, Kyle, and Jessica Stewart are placed in the licensed family foster home of Kevin and Simone Davis. The placement is the least restrictive option and is in close proximity as the home is within 3 miles of the Stewarts' residence. The foster care placement is considered stable.

Charles and Simon Stewart are placed in the licensed family foster home of Juanita Lopez. The placement is the least restrictive option and is in close proximity as the home is within 4 miles of the Stewarts' residence. The foster care placement is considered stable.

Needs of Foster Parents:

The foster parents have been provided with known background information on Courtney, Kyle, Jessica, Simon, and Charles Stewart. They have been provided with Medicaid cards to secure health care services for the children and with the name of their primary health care provider. Foster parents will receive monthly foster care maintenance payments and will be reimbursed for transportation costs. Foster parents will receive ongoing regular contact with a social worker for ongoing needs assessments and identified services.

### **Visitation**

Ms. Stewart visited with Courtney, Kyle, Jessica, Simon, and Charles Stewart the day after her release from jail. The Department met with Ms. Stewart to establish a supervised visitation plan that includes visits twice weekly for 2 hours at the Department office. Mr. Stewart is incarcerated, and no visitation plan was established at this time.

### **Safety and Risk Assessment**

Safety threats include:

- No adult in the home is performing basic parenting duties and responsibilities that assure child safety.
- One or both parents/caregivers will not/cannot control their behavior.
- One or both parents/caregivers lack parenting knowledge, skills, or motivation necessary to assure a child's safety.

**Risk level: High**

### **Permanency Plan**

Not yet established

Signatures		
Foster Care Worker: Sally Jordan	<i>Sally Jordan</i>	Date: 4/11/2016
Foster Care Supervisor: Robin White	<i>Robin White</i>	Date: 4/11/2016

